

EXHIBIT D

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

STATE OF GEORGIA,)	
)	
vs.)	Case No. <u>23SC188947</u>
)	
HARRISON FLOYD,)	
)	
DEFENDANT.)	

AMENDED SUBPOENA DUCES TECUM

TO: RETURN RECEIPT REQUESTED NO.:
Che' Alexander
Clerk of Fulton County Superior Court
136 Pryor Street, SW
Suite J2-640
Atlanta, Georgia 30303

YOU ARE HEREBY COMMANDED:

That laying all other business aside, you are commanded to be at and appear at the Harding Law Firm, LLC located at: 113 E. Solomon Street, Griffin, Georgia 30223, on December 7, 2023, at 9:00 a.m., and to bring with you into said law firm certain matters to be used as evidence in the matter of: **State of Georgia v. Harrison Floyd, Fulton County State Court Case No.: 23SC188947.**

You are required to produce any and all unredacted and unedited original items identified in the attached list below that are in your possession or are under Your custody or control pursuant to Code Ann. §24-13-23:

INSTRUCTIONS

Versions - For all electronic files generated, please provide every iteration, including those that have been created, exported, and disseminated. It is understood that there may be multiple versions or copies of the same file.

Encrypted Files / Media - Provide all methods and credentials necessary for access to the digital files/media as stipulated within this subpoena, which includes, but are not limited to

- Passwords for all encrypted files or devices.
- All security tokens, key fobs, or other physical devices necessary for digital access.
- Usernames and passwords for official operating systems or software-based accounts linked to the provided data.
- Any alternative methods, bypass mechanisms, or recovery keys that enable access to the data in the absence of standard credentials or when such credentials are insufficient.
- Access credentials required to decrypt any whole disk or file encryption technologies employed within any segment of your electronic election system, including, but not limited to, encryption technologies such as BitLocker, TrueCrypt, and VeraCrypt.

Native Format - All Data, Files, and Generated reports should be provided in native - unmodified format as (a) an XML file, or (b) a JSON file, or (c) a TXT file, or (d) XLS file, Word, or Equivalent format. (provide all versions generated of each file).

****A PDF printed version of a native file will not suffice due to the modification of the file and content in printing.**

ITEMS TO BE PRODUCED

Unless otherwise indicated, the scope of these requests is for documents and data between **November 3, 2020 to January 31, 2021**.

User Manuals (10 min)

1. Please provide print or digital copies of the following manuals or materials concerning the software and products which were used or applicable to the November 2020 Election:

- a. All versions of user manuals, including but not limited to, installation guides, user guides, operation manuals, and troubleshooting manuals.
- b. Any training materials utilized for the instruction of personnel in the use of election-related software and products, including training handbooks, instructional videos, slideshows, and any other educational aids.
- c. Documentation relating to software updates, patches, and release notes detailing changes, improvements, or corrections made to election software and products.

Election Equipment Inventory (5 min)

2. A list of all election equipment which is provided by the Secretary of State and which was purchased by the County, including the following:

- a. Serial numbers for all Tabulators used in the November 3, 2020 General Election including those used for advanced voting, election day voting, and absentee by mail tabulation;
- b. Serial numbers for all Ballot Marking Devices (BMD); and,
- c. Serial numbers for all poll pads.

Logic and Accuracy (L&A) Testing (10 min)

3. For election equipment used in the November 3, 2020 General Election, provide the following L&A test results and records for each of the following:

- a. Tabulators by serial number as tested and used for advanced voting;
- b. Tabulators by serial number as tested and used for election day voting; and
- c. Tabulators by serial number as tested and used for absentee by mail tabulation.
- d. For each tabulator, provide the Tabulator Poll Tapes (open and close).

Election Certification Packet (10 min)

4. Produce a copy of the backup copy of the Official and Complete November 3rd General Election Project that you prepared pursuant to the December 1, 2020 memorandum for “Preserving Ballot Images and Delivering to Sec. of State.”

5. Produce a copy of the backup copy of the November 3rd Recount Election Project including all ballot images collected during the recount process that you prepared pursuant to the December 1, 2020 memorandum for “Preserving Ballot Images and Delivering to Sec. of State.”

Election Night Reporting (“ENR”) Web Page (30 min)

6. All reports and information submitted to the ENR Web Page for the Original Count / Machine Count I.

7. All reports and information submitted to the ENR Web Page for the Recount / Machine Count II.

8. Usernames and email addresses of individuals who uploaded the information to the ENR Web Page for the November 3, 2020 Election.

Chain of Custody (20 min)

9. Provide all documents showing or evidencing a physical chain of custody for all ballots that were counted in the November 3, 2020, General Election in Fulton County, Georgia.

10. A Ballot Manifest showing a list of all ballot containers and the number of ballots inside each container.

11. Provide all documents showing or evidencing a chain of custody involving poll managers, technician purposes, and the transfer of Election Results.

Ballot Images (1 hour)

(Please provide the electronic files in a .zip file so as to preserve file metadata.)

12. Please provide copies of all ballot images cast for the November 3, 2020, General Election in Fulton County, Georgia, in original format and native resolution for the:

- a. ORIGINAL COUNT (MACHINE COUNT I); and
- b. RECOUNT (MACHINE COUNT II).

13. Please provide all secure hash algorithm files with the file extension “.sha” for

each ballot image for the:

- a. ORIGINAL COUNT (MACHINE COUNT I); and
- b. RECOUNT (MACHINE COUNT II).

14. All ballot images created, appended, or modified for/during the adjudication process, including those of computer-generated ballots which were adjudicated due to write-in votes for both ORIGINAL COUNT (MACHINE COUNT I) and RECOUNT (MACHINE COUNT II).

Tabulator Files and Reports (4 hours)

15. Please provide the following records for both the ORIGINAL COUNT (MACHINE COUNT I) and RECOUNT (MACHINE COUNT II):

- a. Non-modified original versions in the native format of Machine Logs (System Logs/SLOGS), possibly known as the “slog.txt” files generated from all (ImageCast Precinct and ImageCast Central) tabulators and ballot marking devices.
- b. Non-modified original versions in the native format of .dvd files generated from all tabulators and ballot marking devices.
- c. Copies of all official tabulator poll tapes (signed/certified and unsigned) for every tabulator and tabulator ID, including:
 - i. Opening the Polls – Zero Count Forms (Poll Open/Zero Tapes);
 - ii. Status Tapes; and,
 - iii. Poll Closing Tapes.

16. Copies of all tabulator poll closing reports and tabulator reports generated by each precinct and polling location, detailing with date and time the number of in-person voters, the number of same-day voter registrations (if applicable), and the final totals for the precinct, and polling location.

17. For Advance in-person voting, in addition to those records detailed in number 4, please also provide copies of all scanner Recap sheets, reconciliation forms, and corresponding status tapes used in the Advance Voting tabulator poll closing process.

18. Copy of the “Not Cast Images” folder and the problem ballot images for each ImageCast Central tabulator and additional/virtual instance thereof as identified by Tabulator ID,

Election Management System (EMS) (4 hours)

19. Reports from the Election Management System (EMS) for both the November 03, 2020, original count and the candidate-requested machine recount, including
- a. Cast Vote Record (Native JSON Format - Non Altered or Randomized);
 - b. Batches Loaded Reports (Native XML Format);
 - c. ImageCast Central Logs;
 - d. Ballot Scanning/Tabulation Machine Logs (System Logs/SLOGS);
 - e. Ballot Scanning/Tabulation Machine Tapes; and,
 - f. Data Translator Spreadsheets and or other documents that may be used for tabulation, cross-referencing, and aggregation.

Backup Copies of Hard Drives, SD Cards, and USB Drives (8 hours)

20. Duplicated/Backup Copies (Forensic images, in EnCase format), of the Election Management Server (EMS) and database for the November 3, 2020 General Election.
21. All SD Cards, USB Drives or other storage devices that were inserted into or removed from all tabulators, ballot marking devices or other devices that were used for the tabulation of votes.

Reports and Logs (1 hour)

22. Copies of the certified final election results that were used to determine the official outcomes of the election contests;
23. Copies of election results by polling location and precinct;
24. Statement of Votes Cast (SOVC) which provides a comprehensive account of all votes tallied in the election; and,
25. Election Summary Report.

Lists (4 hours)

26. Numbered list of voters;
27. Absentee numbered list of voters;
28. Electors Lists;
29. Copies of all voter check-in lists for all polling locations for all types of voting,

Sheets/Recap Reports (4 hours)

30. Consolidated Return Sheets;
31. ABBS - Audit Board Batch Sheet “Batch Tally Sheet”;
32. Copies of all Scanner Recap Sheets for all polling locations for all types of voting, provides a summary of the votes counted by each scanner;
33. Copies of all Ballot Recap Sheets for all polling locations for all types of voting, a summary of totals of Physical ballots by Tabulator;
34. Copies of all Poll Pad Recap Sheets for all polling locations for all types of voting - Totals of voter check-ins by Poll-Pad;
35. Provisional Ballot Reports;
36. Copies of all Provisional Ballot Recap Sheet - summarizes the usage and outcomes of provisional ballots;
37. Absentee/Vote-by-Mail Ballot Reports
38. Copies of all Absentee Ballot Recap Sheet - summarizes the usage and outcomes of absentee ballots;
39. Spoiled and Unaccompanied Ballot Recap Sheets
40. Conditional Voter Registration Ballot Report
41. Voted Ballot Removal Form
42. Drop Box Ballot Transfer Form

Oath Documents (15 min)

43. Please provide documents showing the following oaths taken:
 - a. Oath of Custodian of Touchscreens and Tabulators
 - b. Manager Oath
 - c. Clerks Oath
 - d. Consolidated Assistance Oath

Signatures / Absentee Ballot Envelopes (4 hours)

44. Produce copies of one side of the Outer Return Envelopes for absentee ballots that depicts the signature images for all mail-in ballots, absentee ballots, or Overseas Citizens Absentee Voting Act ballots counted, audited, or recounted in the November 3, 2020 General Election in Fulton County, Georgia.

45. Provide all signature exemplars and reference images for all registered voters by voter registration number and full name (active and inactive for the 2020 election).

Absentee ballot application form (8 hours)

46. Produce a copy of each and every absentee ballot application form, including those submitted electronically, by mail, in-person, and in-person for Advance Voting. (Please redact any SSNs, Driver's licenses, and telephone numbers.)

Hardware / Networking (4 hours)

47. The following information related to electronic election system architecture:
- a. A network diagram including all devices, mac addresses and assigned IP addresses for Your complete electronic election system, including but not limited to the EMS Server, all networked devices on the EMS Server network (routers, switches, communications servers, modems, etc), and all devices attached to the resident network for the voter registration server;
 - b. A list of all personnel who had access to the EMS Server or any EMS server connected computing device;
 - c. Provide the name of the person, the account utilized, the devices accessed and the duration of the access for the EMS Server.
 - d. All documents related to any indication of any intrusion attempt into Your electronic election system.
 - e. Copies of all contracts and agreements with the suppliers of any of Your electronic election system equipment, devices, software, or support services.
 - f. Provide an itemized inventory of all election equipment, including serial numbers, used for the 2020 General Election.

HEREIN FAIL NOT, under the penalty of Law and Contempt of said Court, this the 6th day of November, 2023.

Respectfully submitted this the 6th day of November, 2023.

MCSWEENEY, CYNKAR & KACHOUROFF, PLLC



Christopher I. Kachouroff, Esq.*

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* Admitted *Pro Hac Vice*

Attorneys for Harrison Floyd

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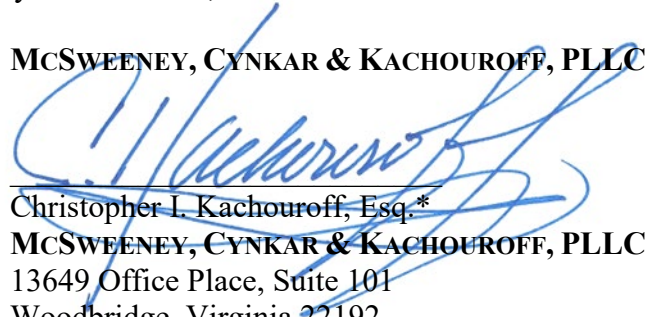
Case No. 23SC188947

CERTIFICATE OF SERVICE

This is to certify that I have this day served the Attorney for Fulton County, Georgia and the attorney for the Secretary of State, along with the parties of record, a true and correct copy of **HARRISON FLOYD'S AMENDED SUBPOENA DUCES TECUM** to Fulton County via electronic transmission through the Odyssey automated system to all counsels of record.

Respectfully submitted this the 6th day of November, 2023.

MCSWEENEY, CYNKAR & KACHOUROFF, PLLC



Christopher I. Kachouroff, Esq.*

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